



**SAN BRUNO CITY COUNCIL**  
**REGULAR MEETING**  
**MINUTES**

**April 13, 2004**

**THIS IS TO CERTIFY THAT:**

The San Bruno City Council met in Regular Session at the San Bruno Senior Center located at 1555 Crystal Springs Road. The meeting was called to order at 7:00 pm.

**Mayor Franzella** thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

**ROLL CALL:**

Recorded by City Clerk Simon, present were Mayor Franzella, presiding; Vice Mayor O'Connell, Councilmembers Ibarra, Pallas, and Ruane.

**PLEDGE OF ALLEGIANCE:**

**Mayor Franzella** asked **City Attorney Pamela Thompson** to lead the Pledge of Allegiance.

**ANNOUNCEMENTS:**

- a. **Mayor Franzella** announced that Dr. Fran White, President of Skyline College, has accepted a position, with the College of Marin. There will be a proclamation presented at our next Council meeting acknowledging the wonderful work she has done here at Skyline.
- b. **Fireworks stand permit** applications are now available for San Bruno based non-profit groups. Completed applications must be returned to the City Clerk's Office by 5:00 p.m. May 3, 2004. If more than eighteen (18) qualified applications are received, a Lottery will be held to determine which non-grandfathered organization will receive a permit.

**PRESENTATIONS:**

- a. **Mayor Franzella** presented Tammy Neirby, San Bruno Garbage and Phil Hanes, from Public Works, with a **Proclamation** declaring April 22<sup>nd</sup>, as **San Bruno's 4<sup>th</sup> Annual Clean Your Files Day**. The week of April 19-April 23, San Bruno Garbage Company will collect for free, your home and/or office paper for recycling. Call San Bruno Garbage Company at 583-8536 for details. Ms. Neirby thanked the Council for their continued support and promoted the program.
- b. **Councilmember O'Connell** conducted a kick off for the 6<sup>th</sup> Annual **"Operation Clean Sweep"**, a citywide cleanup event. It is coordinated by the San Bruno Beautification Task Force and the San Bruno Garbage Company and will be held on **Saturday, May 1<sup>st</sup>**, rain or shine. Check-in begins at 9:00 a.m. near the Rotary Gazebo in San Bruno City Park. Each volunteer will receive a gift and appreciation lunch. She showed a short film of last year's event and introduced Co-Chair Tammy Neirby of San Bruno Garbage and the members of the Beautification Task Force. She also thanked generous sponsors, San Bruno Cable T.V, San Bruno Garbage, T.M.G. Partners, Artichoke Joe's and San Bruno Auto Center. This year for the first time, Amtrak will be sending a special crew, to clean around the train tracks, so volunteers don't feel at risk. She thanked the City Manager Connie Jackson for her support and gave special mention to all the City Staff that work behind the scenes, to make the event the huge success that it is, and encouraged people to sign up.

**REVIEW OF AGENDA: No changes were made**

**APPROVAL OF MINUTES:** For regular Council meeting of March 23, 2004, approved as submitted.

**CONSENT CALENDAR:**

- a. **Approve: Payroll** of March 26, 2004.
- b. **Approve: Accounts Payable** of March 15 & 22, 2004. (Council Packets only, copy is available for review at the City Clerk's office)
- c. **Approve:** Waive second reading of **Ordinance No. 1691** Amending Chapter 10.08 of the San Bruno Municipal Code related to the provision of General Regulations for, Collection of Charges for, and Penalties for Non-Compliance relating to **Municipal Utility Services**.

**M/S Ibarra/Ruane**, to approve the Consent Calendar. Passed unanimously.

**PUBLIC HEARINGS: (Notices have been published, posted, and mailed)**

Hold Public Hearing to hear **an appeal** from the San Bruno Planning Commission's decision to deny a request for a variance to allow an eight and ten foot trellis in the rear yard where the maximum height allowed is six feet; per Section 12.84.150 of the San Bruno Zoning Ordinance. Variance No. 03-05. Applicant is Rod Tosetti, Owner, and Stepping Stones, Carol Miller Contractor. Property location is **467 Chestnut Avenue**. Assessor's Parcel No 020-263-110. Zoning District is R-1 Single Family Residential. General Plan Classification; Low Density Residential. Environmental Assessment is that this project is categorically exempt per the California Environmental Quality Act Guidelines Class 1, Section 1530l. Minor expansions to existing facilities. **Director of Community Development Tom Williams** gave an overview of the appeal.

**Dave Davis, Chestnut Ave.**, is a next-door neighbor to Mr. Tosetti and thinks the trellis is a very nice piece of work and will be beautiful when the roses grow in. Also it is a good wind buffer.

**No one else wished to address the council.**

**M/S Ruane/Pallas**, to close the Public Hearing. Passed unanimously.

**Applicant/owner, Rod Tosetti**, touched on some specific aspects of his case. He noted that this all began as an effort to shield the wind, which they have battled for thirty years.

**M/S Ruane/O'Connell**, to deny the appeal for the variance, the enforcement of the denial be deferred, and that the ordinance be sent back to the Community Development Department for review and staff bring back recommendations for amendments to the zoning code which would allow for discretionary review in the use permit process, and at that point Mr. Tosetti is welcome to apply for a use permit and the fees for him would be waived. Passed unanimously.

**UNFINISHED BUSINESS: None**

**CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACTS: None**

**COMMUNICATIONS: None**

**STAFF REPORTS:**

- a. **City Manager Jackson** reported after two recent Council Study Sessions, where a detailed review took place covering a broad variety of proposals for the elimination of a estimated \$3 million deficit, which will impact the City in the coming 2004-05 fiscal year **General Fund Operating Budget**, she is bringing forward a recommendation, looking for approval and guidance, so work can begin on the development of the upcoming budget. Finance Director Jim O’Leary provided an overview of the deficit situation. City Manager Jackson then discussed the strategy and discussion points the Council engaged in at the two study sessions. In summary, the recommendation calls for, administrative & support function reductions and proposed expenditure reductions to public services, totaling the equivalent of 10.5 full time positions. Secondly, the restructuring of employee compensation by negotiating changes in existing MOU terms and conditions. Finally, revenue enhancements, to include, a 911-Emergency dispatch access fee, an in-lieu franchise fee on water and/or wastewater enterprises, Recreation program fee increases and allocation state interlibrary loan funds for operations. She then answered questions.

**Gary Fleming, Emaron Dr.**, suggests that the City consider which positions were more recently created, when deciding which ones to eliminate or reduce. Also asks if the upper management levels of the City structure will be as equally impacted as the lower ones have.

**Mayor Franzella** replied that upon closer inspection of the proposed cuts, it will be apparent that cuts are being made at the top levels and from within as well.

**Dave Dornlas, Crestmoor Dr.**, wants to know how much money has been transferred from our General Operating Fund Budget into the Redevelopment Agency and asks if some of the Redevelopment projects could be put off for now.

**Mayor Franzella** replied that those numbers are not available tonight, however, he would obtain the figures for Mr. Dornlas.

**Finance Director Jim O’Leary** pointed out that the general transfers from the City to the Redevelopment Agency have not occurred out of the General Fund. Actually the Capital Improvement Project Fund has loaned money to the Redevelopment Agency and it will be about three years until the Redevelopment agency can begin to pay the loan back to the Capital Improvement Project Fund.

**City Clerk Simon** read the following question for a citizen who was ill and left the meeting earlier.

**Alice Barnes, 5<sup>th</sup> Ave.**, on behalf of Robert Riechel, of 7<sup>th</sup> Ave., asks if the City owns any property, improved or unimproved that is not needed by the City and could therefore be sold to realize additional general funds, thus, reducing the dollar amounts that need to be cut from City departments.

**Mayor Franzella** responded that while he isn’t sure if there is any surplus property to sell, philosophically, and speaking only for himself, he finds it inappropriate to sell an asset that the City owns to pay for operating expenses.

- b. Finance Director O’Leary provided an overview and update on the **El Camino Real/Sneath Lane Project**, financing options.

**Councilmember Pallas** asked, in light of the budget problems, if we could cancel this project.

**Assistant City Manager Steve Rogers** answered that the City has contractual agreements already in place to complete this project, thus, preventing the cancellation of this project.

**Councilmember O’Connell** asked, when the project was set to begin.

**Assistant City Manager Steve Rogers** replied, in approximately August of 2004.

**REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None**

**PUBLIC COMMENT ON ITEMS NOT ON AGENDA:**

**Rose Urbach, Euclid Ave.**, requested a moment of silence and a private prayer for world peace.

**REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None**

**NEW BUSINESS:**

**Closed Session, entered into at 9:45 pm.**

Requested by City Attorney Thompson for conference with legal counsel regarding existing litigation:

- a. **California Trout, Inc. vs. Urban Suppliers** that pump from the Westside Basin, et al., a petition before the State of California Water Resources Control Board. (Gov’t Code Section 54956.9(a.))
- b. **City of San Bruno vs. BART**, Superior Court No. CIV-434076 (Gov’t Code Section 54956.9)

**At 10:05 pm, Mayor Franzella** announced, direction had been given to legal counsel on how to proceed.

**ADJOURNMENT:**

With no further business to transact the meeting adjourned at 10:05 p.m. to, the next regular, City Council meeting on April 27, 2004, at 7:00 pm, Senior Center, 1555 Crystal Springs Road.

The foregoing minutes were approved by  
the San Bruno City Council at a regular  
meeting held on April 27, 2004.

Respectfully submitted,

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**Ed Simon, City Clerk**

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**Larry Franzella, Mayor**